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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	
)	No. CR 06-00222 SBA
12 Plaintiff,)	
)	STIPULATION AND
13 v.)	ORDER CONTINUING COURT DATE
)	AND EXCLUSION OF TIME UNDER
14)	THE SPEEDY TRIAL ACT, 18 U.S.C.
15 WARREN CRECY,)	§ 3161 <u>ET SEQ.</u>
)	
16 Defendant.)	

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18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of
19 plea and sentencing date of May 1, 2007, at 11:00 a.m., before the Honorable Sandra Brown
20 Armstrong, may be continued two weeks to May 15, 2007, at 11:00 a.m. for change of plea and
21 sentencing.
22

23 The status of the case is that the defendant Warren Crecy has agreed to plead guilty in
24 accordance with a revised plea agreement which will be entered into under Fed. R. Crim. P.
25 11(c)(1)(C). A copy of the plea agreement will be provided to the Court for its consideration. In
26 addition, a pre-plea report has been prepared however there are disputes which must be determined

1 at sentencing. Defense counsel needs additional time to obtain documents in preparation for filing
 2 its sentencing memorandum. If the Court continue the matter two weeks to May 15, 2007, it should
 3 provide adequate time for defense counsel to file a sentencing memorandum addressing the disputes
 4 and other sentencing issues.

5
 6 The parties stipulate that the ends of justice served outweigh the best interests of the public and
 7 the defendant in a speedy trial because the failure to grant such a continuance would unreasonably
 8 deny counsel for the defendant the reasonable time necessary for effective preparation, taking into
 9 account the exercise of due diligence. The requested continuance is sought under the Speedy Trial
 10 Act, 18 U.S.C. §§ 3161(H)(8)(A) and (B)(iv). In addition, once the Court receives the proposed plea
 11 agreement, time may be excluded under 18 U.S.C. §3161(h)(1)(I).

12
 13 /S/

14 DATED: April 20, 2007

15 _____
 16 MICHELLE MORGAN-KELLY
 17 Assistant United States Attorney

18 /S/

19 DATED: April 23, 2007

20 _____
 21 JOYCE LEAVITT
 22 Assistant Federal Public Defender

23 SIGNATURE ATTESTATION

24 I hereby attest that I have on file all holograph signatures indicated by a “conformed” signature
 25 (“/S/”) within this efiled document
 26

1 UNITED STATES OF AMERICA VS. WARREN CRECY

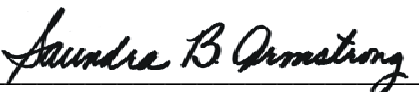
2 **ORDER**

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4 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the court date of May 1, 2007
5 at 11:00 a.m. before the Honorable Saundra Brown Armstrong is hereby continued two weeks to
6 May 15, 2007 at 11:00 a.m. for change of plea and sentencing.

7 IT IS FURTHER ORDERED that time be excluded under the speedy trial act, 18 U.S.C.
8 §3161(H) (8)(A) and (B)(iv) from May 1, 2007 until May 15, 2007. The Court finds that the ends of
9 justice served by the granting of the continuance from May 1, 2007 to May 15, 2007 outweigh the
10 best interests of the public and the defendant in a speedy and public trial to allow defense counsel
11 additional time to obtain documents in order to file a sentencing memorandum addressing disputes in
12 the Pre-plea report and other sentencing issues. 18 U.S.C. §§ 3161(H)(8)(A) and (B)(iv). In
13 addition, once the Court receives the proposed plea agreement, time shall be excluded under 18
14 U.S.C. §3161(h)(1)(I).
15

16 SO ORDERED.

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18
19 DATED: 4/24/07

20 
HON. SAUNDRA BROWN ARMSTRONG
United States District Judge